

OU15 Meeting Summary

Meeting Location, Date and Time:

CDPHE, Denver, CO, Conference Room B2C
January 5, 1995
10:00 AM - 11:20 AM

Meeting Attendees:

Peter Bierbaum (ERM)
Arturo Duran (EPA)
William Fitch (DOE)
John Haasbeek (ERM)
Roland Hea (ERM)

Tim Howell (DOE)
Dick Hyland (RTG/SAIC)
Frazier Lockhart (DOE)
Dennis Schubbe (EG&G)
Carl Spreng (CDPHE)

Meeting Summary:

The meeting began at 10:00 AM.

William Fitch explained that the purpose of the meeting was to give EPA and CDPHE an opportunity to address DOE's response to EPA and CDPHE comments on the OU15 Phase I RFI/RI Report and the changes made to the Report. Carl Spreng stated that CDPHE had no substantive comments back on the response to comments or the changes made to the Report. Arturo Duran mentioned that EPA had reviewed the response to comment documents and had some outstanding issues, but did not feel it would be worthwhile to discuss the specifics. Instead, he explained that he was more concerned with the future direction of the project.

Carl Spreng and Arturo Duran said that CDPHE and EPA believed that the experiences learned on OU15 could be applied to future environmental activities inside the RFETS buildings. Arturo Duran explained that he felt comfortable proceeding with RCRA clean closure for all six OU15 IHSSs, but did not feel that the IHSSs could be closed out with respect to CERCLA at this time. He inquired about DOE's position on these issues and suggested that the meeting shift its focus from the Phase I RFI/RI Report to discussing the future of OU15. All agreed that this was a good idea.

Carl Spreng stated that he was in the process of preparing a letter approving the Phase I RFI/RI Report and requesting DOE to establish milestones for future OU15 activities. He added that CDPHE and EPA felt that OU15 could proceed towards a final CAD/ROD if the Rocky Flats Cleanup Agreement negotiations were finalized in the next few months. If the negotiations were

not successfully completed, Carl Spreng said that an interim decision document, such as an IM/IRA would need to be developed. He stated that controls would need to be established to protect workers inside the buildings. William Fitch objected to the word "established" since it implied that controls were not already in place.

Arturo Duran said that if EPA and CDPHE were comfortable with the requirements specified in the Cleanup Agreement, the CERCLA issues for OU15 could be deferred to another vehicle, and OU15 could get closed out. Frazier Lockhart explained that the OU15 IHSSs were small discreet areas within larger buildings, and that closing out these small IHSS areas would not release the overall buildings from the closure process. He said that he felt negotiations on the Cleanup Agreement were proceeding and would be completed, and that as a result, a final action for OU15 would be more appropriate than an interim action. He added that the 5-year review requirement for a CAD/ROD provided a safety net, meaning that the decisions for OU15 could be revisited through this vehicle regardless of whether the Cleanup Agreement was in place or not. Tim Howell agreed that this was appropriate because it is statutory based.

Arturo Duran expressed concern that changes could occur in the future at RFETS that affected OU15. As a result, the final disposition of the OU15 IHSSs needed to be tied to a vehicle which guaranteed that the changes would be addressed. He indicated that if the Cleanup Agreement was finalized, EPA would be able to sign a final CAD/ROD for OU15. Tim Howell responded that even without the new Cleanup Agreement, the existing IAG was still in effect and provided an enforceable instrument to address OU15. Frazier Lockhart mentioned that D&D pilot projects are underway in RFETS buildings and that administrative controls are already in place. He added that these controls could be "memorialized," in order to ensure that a program remains in effect. Frazier Lockhart and William Fitch both stressed the importance of allowing the OU15 IHSSs to be considered as part of the buildings in which they are located.

Dennis Schubbe stated that the worker protection standards in use at RFETS were identified as ARARs in the OU15 Phase I RFI/RI Work Plan. Arturo Duran said that he would need to check with EPA management, but felt that a final CAD/ROD with building controls was appropriate for OU15. He added that the CAD/ROD could then be reopened and amended to address changes to the controls or disposition of the units. Carl Spreng suggested that the CAD/ROD could be written in a manner that would minimize the need for future amendment. Frazier Lockhart concurred, explaining that generally radiological controls and standards become more stringent over time. Arturo Duran asked if DOE would consider the CAD/ROD option with these controls. Frazier Lockhart felt that it made sense to proceed in this direction, and said if the negotiations on the Cleanup Agreement broke down, the approach could be revisited. Arturo Duran reiterated the need to have a mechanism in place to modify the OU15 decision document as necessary.

William Fitch indicated that NCPP activities were already moving forward, and would address the entire buildings, including the OU15 IHSS areas. He indicated that Building 883 was already funded for this year, and felt that Building 865 would likely be funded next year. Carl Spreng mentioned that as part of this process, DOE would need clean closure certification for the RCRA

units in these buildings.

William Fitch stated that an environmental baseline report was being prepared to document post-cleanup conditions in the NCPP buildings. He added that cleanup activities conducted in the buildings prior to the time they are turned over for economic redevelopment will be based on occupational standards. Arturo Duran suggested that the decontamination activities could take these buildings to a point where they no longer need controls. William Fitch and Frazier Lockhart responded that this was possible, but would not necessarily be the case since free release standards were not being applied.

Dennis Schubbe mentioned that five of the OU15 IHSSs currently meet the occupational radiation protection standards without any administrative controls. He expressed concern that the CAD/ROD would have to be revised if the IHSSs were contaminated by future operations in the buildings not related to the IHSSs. Arturo Duran said that he felt that DOE, EPA and CDPHE were not far apart in terms of their respective positions. William Fitch commented that an interim step, such as an IM/IRA, would be redundant, since it would only restate the information already provided in the Phase I RFI/RI Report. He added that the Proposed Plan and CAD/ROD process would provide an opportunity for public involvement in OU15.

Arturo Duran questioned the completeness of the OU15 data set. He explained that hot water rinsate verification sampling had been performed for the actual IHSS locations (Stage 1), but not for the pathway locations leading away from the IHSSs (Stage 2). Arturo Duran added that the sampling data would satisfy the RCRA closure issues, but not the CERCLA issues. He said verification sampling could be conducted in the pathways, but that it would not be worthwhile at this point. He explained that it was more important to focus on the decisions that can be made with the data that is available.

William Fitch responded that, according to the approved Work Plan, Stage 2 sampling was not required. He added that Stage 2 sampling was only conducted concurrently with Stage 1 because of the logistics and economics involved in performing work inside RFETS buildings. Dennis Schubbe described that Stage 2 sampling was included in the Work Plan for the purpose of determining if contamination had potentially migrated from the OU15 IHSSs to locations outside the buildings, thereby requiring a Stage 3 field investigation.

Arturo Duran indicated that the work detailed in the Phase I RFI/RI Work Plan focused on the RCRA closure of the OU15 IHSSs. He further stated that any contamination detected was a concern under CERCLA, irrespective of the source or location. He added that conceptually the existing data (Phase I) was sufficient to support the RCRA decision for closure, but that additional data (Phase II) was needed to make a final decision with respect to CERCLA.

John Haasbeek explained that the Field Sampling Plan objectives presented in the Work Plan were to determine if: 1) Stage 3 or outdoor sampling was needed; 2) radiation worker protection standards were met; and 3) a BRA was needed, and if so, to provide the necessary data to support

the BRA. He added that, as discussed in the approved TM#1, these objectives had been met, and that no Stage 3 investigation was required. Arturo Duran agreed that there was no evidence to suggest that contamination had migrated outside the OU15 buildings.

Frazier Lockhart stated that a Phase II investigation did not make sense for OU15. He said that, for the purposes of final closure, the IHSSs should not be considered as individual entities, but rather should be addressed as part of the buildings in which they are located. He added that regulatory agency involvement in building D&D/closure would be covered in the Cleanup Agreement. Arturo Duran agreed that this approach was acceptable, and wanted to ensure that the CERCLA issues were properly addressed under some mechanism, whether through OU15 directly or as part of the building D&D/closure process.

Carl Spreng proposed the following milestones to cover remaining activities on OU15:

- Submit a certification of RCRA Clean Closure from an independent, registered Professional Engineer.
- Submit a Draft Proposed Plan/Draft RCRA Permit Modification for EPA and CDPHE review and comment.
- Submit the Final Proposed Plan/Draft RCRA Permit Modification.
- Hold the public comment period.
- Submit the Responsiveness Summary and Draft CAD/ROD for EPA and CDPHE review and comment.
- Submit the Final CAD/ROD.
- Modify the RFETS RCRA Permit (to be completed by CDPHE).

Dennis Schubbe asked if ERM-Rocky Mountain could provide the Professional Engineer certifications for the RCRA closure of the OU15 IHSSs. Carl Spreng replied that he had not been able to find any specific guidance on what constituted an "independent" Professional Engineer, and, therefore, was not aware of any specific limitations.

A discussion followed on the controls to be identified in the OU15 decision documents. Carl Spreng suggested incorporating the existing institutional controls. William Fitch explained that he did not like the use of the term "institutional controls." Frazier Lockhart concurred with this, indicating that the use of the term could be misleading, since institutional controls traditionally include mechanisms such as land use and deed restrictions. He emphasized that the controls to be included in the CAD/ROD are a continuation of the radiological control program already in place at RFETS.

Dennis Schubbe stated that EG&G, as part of their ER 2000 program, is trying to get a signed CAD/ROD for OU15 by the end of the 1995 calendar year. Frazier Lockhart said that the typical time frame for accomplishing this process under the IAG is a one year period. He added the Rocky Flats Cleanup Agreement should be finalized and approved by this time, allowing for the OU15 CAD/ROD to be finalized.

William Fitch suggested that an update on the closure of OU15 should be included at an upcoming Public Information Meeting, probably in February 1995. Arturo Duran agreed that it would be a good idea to make a presentation on OU15.

Arturo Duran suggested that the presence of metals in IHSSs 211 and 217 could be addressed in the Proposed Plan. Roland Hea stated that since IHSS 217 was a RCRA treatment unit, the evaluation of this IHSS had focused on cyanide.

William Fitch mentioned that DOE had been preparing a Closure Strategy Paper, but would not present it since the issues and options included in it had been discussed at length during the meeting. He also asked if the approval of the Phase I RFI/RI Report by EPA and CDPHE was going to be conditional. Carl Spreng responded that CDPHE was satisfied that the approved Work Plan had been followed, and that he believed that EPA and CDPHE would provide full approval for the Report.

The meeting adjourned at 11:20 AM.